IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

Writ Petition No. 2448 of 2006

Madhusudan Y.Joshi ..Petitioner

vs.

1. Divisional Joint Registrar
of Cooperative Societies
and others ..Respondents

Shri Uday Warunjikar for petitioner.
Shri A.A.Kumbhakoni, Associate Advocate General with
Smt.V.S.Mhaispurkar for respondent nos. 1 to 3
Shri L.L.Barke for respondent no.4
Shri S.V.Dixit for respondent no.6
Shri S.G.Kharkhanis for respondent no.7

CORAM: S.B.MHASE J.
26th April, 2006

P.C.

1. Heard the learned Counsel for the parties.

2. The order in Revision Application No.468 of 2004 passed by the Divisional Joint Registrar, Cooperative Societies on 23rd December, 2005 is challenged. The said revision was filed by Shashtrinagar "West View" Cooperative Housing Society Ltd., through Shri M.Y.Joshi and two others. Thus the revision application was filed for and on behalf of the society and at the relevant time when the application was filed Shri Joshi and two others were members of the Administrative Committee appointed under section 78 of the Maharashtra Cooperative Societies Act, 1960 by the Registrar. However, thereafter elections had taken place. And new Managing Committee has entered into the office of the society. Thereafter present

petitioner Shri M.Y.Joshi and two others are not the persons in the administration of the said society. However, the present petition has been filed by the petitioner in his individual capacity and not for and on behalf of the said society. Enquiry under sections 83 and 88 is in respect of the Managing Committee members of the said society. The society and the Managing Committee members against whom the said enquiry is likely to proceed are the persons interested in such enquiry. The present petitioner has no concern and locus standie in the said enquiry. Petition is misconceived. It is, therefore, rejected.

(S.B.CHASE J.)